

**STATEMENT OF BASIS (AI No. 7856)**

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0091812 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Lake Charles Harbor and Terminal District  
Bulk Terminal No. 1  
P.O. Box 3753  
Lake Charles, LA 70602

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Molly McKean

**DATE PREPARED:** July 19, 2007

**1. PERMIT STATUS****A. Reason For Permit Action:**

Permit re-issuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

**B. NPDES permit -** NPDES permit effective date: N/A  
NPDES permit expiration date: N/A

**C. LPDES permits -**  
LPDES permit effective date: July 1, 2002  
LPDES permit expiration date: June 30, 2007

**D. Date Application Received:** June 29, 2007

**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - Marine Cargo Handling**

Bulk Terminal No. 1 is a marine cargo handling facility that handles and stores a variety of dry bulk commodities (see Appendix A) including petroleum coke and calcined coke. On average, the terminal loads/unloads 7,700 tons of coke and 480 tons of anode butts per week. The facility discharges stormwater and small quantities of vehicle wash wastewater through two outfalls.

**B. FEE RATE**

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 4491, 4463, 4226

**C. LOCATION -** 3501 Bayou d'Inde Road, Westlake, Calcasieu Parish  
Latitude 30 11' 27", Longitude 93 18' 7"

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### 3. OUTFALL INFORMATION

#### Outfall 002

Discharge Type: industrial stormwater from the wood chip, anode butt, and coal storage area  
Treatment: settling basin  
Location: at the point of discharge from settling pit 2, prior to mixing with any other waters  
Flow: 10,000 GPD (variable)  
Discharge Route: Calcasieu Ship Channel by pipe

#### Outfall 003

Discharge Type: vehicle rinse water and industrial stormwater from the office area and the coke storage/loading area  
Treatment: settling basin  
Location: at the point of discharge from settling pit 1, prior to mixing with any other waters  
Flow: 87,000 GPD (variable)  
Discharge Route: Calcasieu Ship Channel by pipe

### 4. RECEIVING WATERS

STREAM - Calcasieu Ship Channel by pipe

BASIN AND SEGMENT - Calcasieu Basin, Segment 030301

DESIGNATED USES -  
a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife

### 5. TMDL STATUS

Subsegment 030301, Calcasieu River and Ship Channel - From saltwater barrier to Moss Lake; includes Ship Channel, Coon Island Loop, and Clooney Island Loop, is not listed on LDEQ's Final 2004 303(d) list as impaired. However, subsegment 030301 was previously listed as impaired for PCBs and PAHs, for which the below TMDL has been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 030301:

#### **Total Maximum Daily Load For Toxics For The Calcasieu Estuary – May 2002**

This TMDLs does not give allocations to the LA0091812. Because the discharge is primarily composed of stormwater from storage of coal, coke, wood chips, and anode butts, the discharge is not expected to cause or contribute to the Toxics impairments in Subsegment.

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**6. PROPOSED EFFLUENT LIMITS**

See Rationale below.

**7. COMPLIANCE HISTORY/COMMENTS**

**A. WQMD –**

- 1) 11/29/05 – Response to complaint of coke discharge to the Calcasieu Ship Channel. The facility was loading a coke barge with a damaged loader. Dock superintendent indicated that the skirting of the loader was damaged during Hurricane Rita.
- 2) 6/10/02 – Response to complaint of petroleum coke fines in the Calcasieu Ship Channel.

**B. DMR Review/Excursions –**

Date	Parameter	Outfall	Reported Value	Permit Limits
1/06	COD	002	193 mg/l	100 mg/l
1/06	TSS	002	90 mg/l	45 mg/l
1/06	pH	002	5.86 su	6.0 su min
6/06	COD	002	307 mg/l	100 mg/l
6/06	TSS	002	52 mg/l	45 mg/l
2/06	COD	003	111 mg/l	100 mg/l
2/06	TSS	003	55 mg/l	45 mg/l

**8. EXISTING EFFLUENT LIMITS**

Outfall 002 – intermittent discharge of uncontaminated stormwater runoff from the wood chip storage area

Outfall 003 – intermittent discharge of uncontaminated stormwater runoff from the office area and from the area north of the calcined coke silos, and vehicle rinse water

Parameter	Monthly Avg (mg/L)	Daily Max (mg/L)	Monitoring Frequency
Flow	Report – MGD	Report - MGD	1/2weeks
COD	---	100	1/2weeks
Oil & Grease	---	15	1/2weeks
TSS	---	45	1/2weeks
pH (su)	6.0 (min)	9.0 (max)	1/2weeks

**CHANGES FROM EXISTING PERMIT LIMITS**

- 1) The facility is now proposing to handle and store coal and to discharge stormwater from the coal and the coke storage area.
- 2) COD limits have been changed to TOC limits per BPJ and similar permits for existing coal and coke terminals
- 3) TSS limitations have been changed from 45 mg/l to 50 mg/l per BPJ, 40 CFR 423.12 (coal pile runoff), and similar facilities.

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## **9. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 030301 of the Calcasieu Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

## **10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

## **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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### Rationale for Lake Charles Harbor and Terminal District

1. **Outfall 002** - industrial stormwater from the wood chip, anode butt, and coal storage area (estimated flow is 10,000 GPD)
2. **Outfall 003** - vehicle rinse water (1 gpd est.) and industrial stormwater from the office area and the coke storage/loading area (estimated flow is 87,000 GPD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	--- : Report	LAC33.IX:2707.I.1.b
TOC	--- : 50	(1), (3)
TSS	--- : 50	(2), (1)
Oil & Grease	--- : 15	(1), (3), previous permit
pH	6.0 su – 9.0 su (min) (max)	(1), (3), previous permit

**Treatment:** Settling basins

**Monitoring Frequency:** 2/month - retained from previous permit.

**Limits Justification:** TOC, pH, and Oil and Grease limits are based on stormwater limitations for facilities handling/storing coal and coke, and LDEQ stormwater guidance. The TSS limit is based on BPJ, 40 CFR 423.12 (BPT for coal pile runoff), and existing individual permits for similar facilities.

- (1) Existing permits for similar facilities handling and storing coal and coke
- (2) 40 CFR 423.12
- (3) LDEQ Guidance on Stormwater, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6).

BPT Best Practicable Control Technology  
 BPJ Best Professional Judgement  
 su Standard Units

### STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 4491 are considered to have storm water discharges associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in the storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).

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#### Appendix A: Commodity List

Petroleum coke  
Calcined coke  
Wood chips  
Barites  
Aluminum trihydrate  
Anode butts  
Magnetite  
Rutile  
Fly ash  
Ilmenite  
Coal